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PATENT
Attorney Docket No.: 064164-5001-US

Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kurt R. DAHLBERG *et al.*

Application No.: 10/000,094

Group Art Unit: 3643

Filed: December 4, 2001

Examiner: S. Nguyen

For: POLYSACCHARIDE MUSHROOM COMPOST SUPPLEMENTS

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
MAIL STOP: AF
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated July 6, 2005.
2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant petitions for a One Month Extension of Time, the fee for which is \$120.00. If an additional extension of time is required, please consider this a Petition therefor.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

11/08/2005-SZEWBIE1-00000201-500310-10000094
01-FC-1251 120.00-DA

4. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	35	minus	35	0	x \$50 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$200 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
TOTAL FEE =						\$ 0

5. Fee Payment


- ☒ The Commissioner is hereby authorized to charge \$120.00 for a three-month Extension of Time to Deposit Account 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 7, 2005

By:


 Erich E. Veitenheimer
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AMENDMENT UNDER 37 C.F.R. § 1.116

The present After Final Response responds to the Final Office Action mailed on July 6, 2005, in connection with the above-identified application. This Response is being timely filed in view of a Petition for One-Month Extension of time and accompanying fee, which sets the time for response to the Office Action up to and including November 6, 2005, a Sunday. This Response is timely filed on Monday, November 7 due to the next business day rule.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

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